



ATTORNEY DOCKET NO: 71226

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : STOCK et al.  
Serial No : 10/802,296  
Confirm. No. : 3608  
Filed : March 17, 2004  
For : BREATH ALCOHOL...  
Art Unit : 3736  
Examiner : Navin Natnithithadha  
Dated : November 22, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

The following references have been cited in the French Search Report dated August 17, 2004.

- U.S. Patent 5,291,898 discloses a breath alcohol device. The reference has been cited under Category X as being relevant to French claim 1 and further cited under Category A as being relevant to French claims 2 - 7.

- WO 95/26889 discloses a control device and mouthpiece, such as a breathalyser. The reference has been cited under Category A as being relevant to French claims 1 - 7.

- EP 0 147 131 discloses improvements in or relating to an alcohol detection device. The reference has been cited under Category A as being relevant to French claim 1.

- U.S. Patent 5,111,827 discloses a respiratory sampling device. The reference has been cited under Category A as being relevant to French claim 1.

- EP 0 953 841 discloses a breath monitoring apparatus. The reference has been cited under Category A as being relevant to French claims 1 - 7.

- U.S. Patent 5,458,853 discloses a breath analysis device. The reference has been cited under Category A as being relevant to French claim 1.

- U.S. Patent 4,868,545 discloses alcohol or drug breath detecting devices. The reference has been cited under Category A as being relevant to French claims 1 - 7.

United Kingdom Patent GB 2 400 321 corresponds to the present application and cites the following documents:

- WO 1994/023650 discloses a specialized peak flow meter. The reference has been cited in the corresponding British Application, and the British Application has been found patentable in view of this reference.

- FR 002752718 discloses a removable hygienic mouthpiece. No full translation is available at this time, however, attached is an English language abstract. The reference has been cited in the corresponding British Application, and the British Application has been found patentable in view of this reference.

- U.S. 4,905,709 discloses a disposable tubular pneumotachometer. The reference has been cited in the corresponding British Application, and the British Application has been found patentable in view of this reference.

- WO 1993/019669 discloses a portable spirometer with improve accuracy. The reference has been cited in the corresponding British Application, and the British Application

has been found patentable in view of this reference.

- U.S. Patent 5,564,432 discloses a biodegradable air tube and spirometer employing same. The reference has been cited in the corresponding British Application, and the British Application has been found patentable in view of this reference.

DE 103 16 333 corresponds to the present application and cites the following documents:

- DE 195 45 794 discloses a combination of a mouthpiece and a sampling system for taking samples of expired air. The reference has been cited in the corresponding German Application, and the German Application has been found patentable in view of this reference. No full translation is available at this time, however, attached is an English language abstract. This reference corresponds to U.S. Patent 5,739,412.

- DE 42 22 286 discloses a spirometer, more particularly an ultrasonic spirometer. The reference has been cited in the corresponding German Application, and the German Application has been found patentable in view of this reference. No English translation is available at this time, however, attached is an English language abstract.

- GB 15 20 432 discloses an apparatus for providing information relating to the flow of a fluid. The reference has been cited in the corresponding German Application, and the German Application has been found patentable in view of this reference.

- EP 01 53 883 discloses an apparatus for gas analysis. The reference has been cited in the corresponding German Application, and the German Application has been found

patentable in view of this reference.

Consideration of the above references is requested.

Respectfully submitted  
for Applicant,

By: 

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Enclosed: PTO-1449 Form  
Credit Card Payment Form  
copy of French Search Report  
copies of (10) References

DATED: November 22, 2005  
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BY:  DATE: November 22, 2005

LIST OF REFERENCES CITED  
BY APPLICANT  
(Use several sheets if necessary)

Atty Docket No.: 71226  
 Ser. No.: 10/802,296  
 Applicant: STOCK et al.  
 Filing Date: March 17, 2004  
 Group: 3736

## U.S. PATENT DOCUMENTS

Ex- aminer Initial	Document No.	Date	Name	Class	Sub- class	Filing Date
	<u>5,291,898</u>	<u>March 8, 1994</u>	<u>Wolf</u>			<u>May 22, 1992</u>
	<u>5,111,827</u>	<u>May 12, 1992</u>	<u>Rantala</u>			<u>Dec. 26, 1990</u>
	<u>5,458,853</u>	<u>Oct. 17, 1995</u>	<u>Porter et al.</u>			<u>Sept. 30, 1993</u>
	<u>4,868,545</u>	<u>Sept. 19, 1989</u>	<u>Jones</u>			<u>June 12, 1987</u>
	<u>5,564,432</u>	<u>Oct. 15, 1996</u>	<u>Thomson</u>			<u>July 13, 1994</u>
	<u>4,905,709</u>	<u>March 6, 1990</u>	<u>Bieganski et al.</u>			<u>Jan. 17, 1989</u>
	<u>5,739,412</u>	<u>April 14, 1998</u>	<u>Stock et al.</u>			<u>Dec. 4, 1996</u>

## FOREIGN PATENT DOCUMENTS

Ex- aminer Initial	Document No.	Date	Country	Class	Sub- class	Translation Yes/No
	<u>WO 95/26889</u>	<u>Oct. 12, 1995</u>	<u>International</u>			<u>Yes</u>

	<u>EP 0 147 131</u>	<u>July 3, 1985</u>	<u>Europe</u>			<u>Yes</u>
	<u>EP 0 953 841</u>	<u>Nov. 3, 1999</u>	<u>Europe</u>			<u>Yes</u>
	<u>WO 94/23650</u>	<u>Oct. 27, 1994</u>	<u>International</u>			<u>Yes</u>
	<u>FR 2 752 718</u>	<u>March 6, 1998</u>	<u>France</u>			<u>No</u>
	<u>WO 93/19669</u>	<u>Oct. 14, 1993</u>	<u>International</u>			<u>Yes</u>
	<u>DE 195 45 794</u>	<u>June 12, 1997</u>	<u>Germany</u>			<u>No</u>
	<u>DE 42 22 286</u>	<u>May 11, 1994</u>	<u>Germany</u>			<u>No</u>
	<u>GB 1 520 432</u>	<u>Aug. 9, 1978</u>	<u>United Kingdom</u>			<u>Yes</u>
	<u>EP 0 153 883</u>	<u>Sept. 4, 1985</u>	<u>Europe</u>			<u>Yes</u>

OTHER REFERENCES (Including Author, Title, Date,  
Pertinent Pages, Etc.)

Ex- aminer Initial	Author	Date	Title	Textbook in	Translation Yes/No

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Navin Natnithithadha  
Examiner

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Date Considered